



IFW/ATX

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Starnes
Serial No.: 10/735,094
Filed: 12/11/2003
For: Lancet
Art Unit: 3734
Examiner: Truong

**REINSTATEMENT OF APPEAL
AND
REQUEST FOR APPLYING PREVIOUSLY PAID APPEAL FEES
TO THE NEW APPEAL**

A first Notice of Appeal in this application was submitted 07/06/2007 with payment of \$250, and an Appeal Brief was submitted 10/10/2007 with payment of \$250. The Examiner reopened prosecution after the filing of the Appeal Brief and has rejected the claims under new grounds in a non-final Office Action with mail date of 12/09/2008.

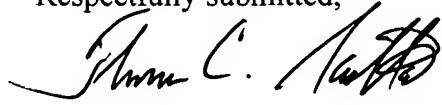
The claims having been twice rejected, Applicant herewith files a second Notice of Appeal in this matter and requests that the previously paid appeal fees be applied to this new appeal, as provided for in MPEP 1204.01. The appropriate fees for the Notice of Appeal now being \$270, a check in the amount of \$20 is enclosed herein to account for the increase.

The undersigned certifies that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

3/9/09
Date


Thomas C. Saitta

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas C. Saitta". The signature is fluid and cursive, with the first name "Thomas" and last name "Saitta" clearly distinguishable.

Thomas C. Saitta, Reg. No. 32102
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